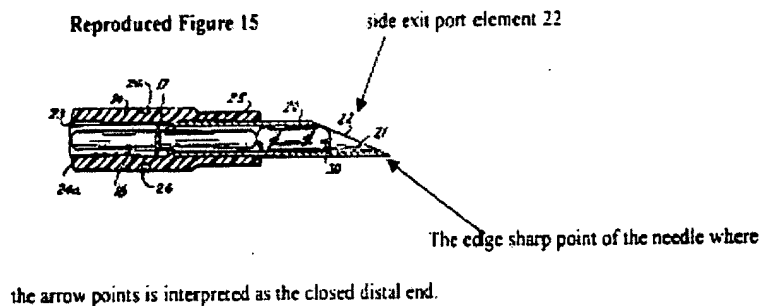


### REMARKS

Reconsideration of the rejections set forth in the Final Office Action mailed January 12, 2005, is respectfully requested. Claim 46 and 58 have been amended. Support for these amendments can be found in the specification at, e.g., Figs. 4-8. Therefore, no new matter was added with these amendments. Claims 46-51, 54-62, and 65-67 remain pending in this application.

#### Art Rejections

Claim 46 was rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by Campbell et al. (USP Re. 34,936). Applicants respectfully assert that Campbell et al. does not teach or suggest all of the limitations of the currently amended claim. In particular, Campbell et al. does not disclose *"a side exit port defining a plane, the plane being parallel to the longitudinal axis of the tube."* As apparent from Fig. 15, reproduced from the Office Action below, the side exit port element 22 (as assigned by the examiner in the Office Action) is not parallel to the longitudinal axis of the tube.



Claims 46-51, 54-62, and 65-67 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Edwards et al. (USP 5,470,308), in view of Rank et al. (USP 5,234,426) and Hirch et al. (USP 5,395,319). Applicants respectfully assert that the cited references are not properly combinable. As pointed out in our previous response, Edwards et al. concerns devices and methods



Claims 46, 47, 48, 49, 50, and 60 are therefore patentably distinct from the cited art. Claims 51 and 54-58 are dependent on claim 50, and are therefore patentably distinct from the cited art for the same reasons. Claims 61-62 and 65-67 are dependent on claim 60, and are therefore patentably distinct from the cited art for the same reasons.

For all the foregoing reasons, Applicant asserts the claims are in condition for allowance. Favorable action on the merits of the claims is therefore earnestly solicited. If any issues remain, please contact Applicant's undersigned representative at (949) 737-2900. The Commissioner is hereby authorized to charge any additional fees that may be required to Deposit Account No. 50-2862.

Respectfully submitted,  
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